

2009 DEC 29 PM 4:04

PTO/SB/66 (03-09)
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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

BAI 148-001 AX

JAN 11 2010

OFFICE OF PETITIONS

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,265,983

Application Number 09/408,798

Issue Date July 24, 2001

Filing Date September 30, 1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above – identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐


resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

12-17-09
Date


Signature

Daniel J. Bourque, Esquire

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

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2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

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3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ 490.00	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1,240.00	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1,730.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1,640.00

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 3,370.00☐ Please charge Deposit Account No. _____ the sum of \$ _____☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 02-3285

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7. OVERPAYMENT

As to any overpayment made please

- OR ☒ Credit to Deposit Account No. 02-3285
- ☐ Send refund check

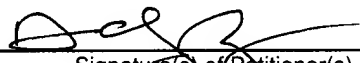
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



Signature(s) of Petitioner(s)

Daniel J. Bourque, Esquire

Typed or printed name(s)

603-623-5111

Telephone Number

12-17-09

Date

35,457

Registration Number, if applicable

- Bourque and Associates, PA

Address

835 Hanover Street, Suite 301, Manchester, N.H. 03104

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

- ☒ Maintenance Fee Payment
- ☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐ _____



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OFFICE OF PETITIONS

Box m
Serial No.: 09/408,798
Filed: September 30, 1999
Patent No.: 6,265,983

01/07/2010 DALLEN 00000021 6365983

Bourque & Associates, P.A. 01 FC:1559
835 Hanover Street, Suite 301
Manchester, NH 03104
Telephone: (603) 623-5111
Facsimile: (603) 624-1432

2130.00 OP

Date: 12-17-09

MAIL STOP PETITION

COMMISSIONER OF PATENTS

PO Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: BAILLAR-001AX

Sir:

In re application of: Baillargeon

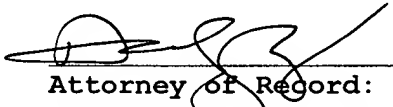
Entitled: FALL PROTECTION SYSTEM AND METHOD

Transmitted herewith is:

- ☒ [X] A Maintenance Fee Payment Letter (2 pages) for the above-identified Patent.
- ☒ [X] A Petition To Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (3 pages) is hereby made, under 37 CFR 1.378 (c); a check in the amount of \$3,370.00 is enclosed per 37 CFR 1.20(i) (2)
- ☒ [X] No additional claim fee.
- ☒ [X] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 02-3285 for the cost of such extension.
- ☒ [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 02-3285.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP PETITION, Commissioner of Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on 12-17-09.

Repl. Ref: 01/07/2010 DALLEN 0010103500
DAH:023285 Name/Number:6365983
FC: 9204 \$1240.00 CR


Attorney of Record: Daniel J. Bourque, Esquire
Registration No. 35,457



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application : Paul D. Baillargeon
Serial No. : 09/408,798
Filed : September 30, 1999
For : FALL PROTECTION SYSTEM AND METHOD
Examiner : N/A
Attorney's Docket : BAILLAR-001AX

JAN 12 2011

OFFICE OF PETITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

12-17-09

By: 
Daniel J. Bourque, Esquire
Registration No. 35,457
Attorney for Applicant(s)

LETTER

3.5 YEAR MAINTENANCE FEE PAYMENT AND 7.5 YEAR MAINTENANCE FEE PAYMENT

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Enclosed herewith please find our check number 16461 in the amount of \$3,370.00. This check includes \$490.00 for the 3.5 year maintenance fees and \$1,240.00 for 7.5-year maintenance fees on Patent Number 6,265,983 issued on July 24, 2001 to Paul D. Baillargeon as well as and \$1,640.00 for the surcharge fee.

In re: appl: Paul D. Baillargeon
Patent: 6,265,983
Granted: July 24, 2001
Serial Number: 09/408,798
Filed: September 30, 1999

- [X] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 02-3285 for the cost of such extension.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 02-3285.

Respectfully submitted,

Paul D. Baillargeon

By 
Daniel J. Bourque, Esquire
Registration No. 35,457
Attorney for Applicant(s)

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Manchester, NH 03101
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Facsimile: (603) 624-1432

Date: 12-17-09

List Payment Allocations

Selected Payment

Type: Checking Account XXXXXX126

Amount: 3370.00

Accounting Date 01/07/2010

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